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Biden sidesteps on Casey

But he expects CIA chief will be confirmed anyway

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WASHINGTON — Sen. Joseph R. Biden Jr. has refused to vote for the confirmation of William J. Casey as CIA director because his confirmation hearing left "too many unanswered questions."

Casey's nomination was approved by the Senate Intelligence Committee, in a telephone poll of its members over the past few days, by a vote of 14-0, with only Biden voting "present."

"There was not enough time at the confirmation hearing to get Mr. Casey's replies to a number of key questions," Biden said yesterday.

"And I still have not received a reply to the written questions I submitted to Mr. Casey."

The Delaware Democrat denounced the "brief, unchallenging dialogue" at Casey's confirmation hearing as an indication that the committee "is automatically and uncritically accommodating to the intelligence community."

"The members of the committee know that this is not so," Biden said. "We should not allow the impression that it is."

Biden said the unanswered ques-

tions involve the strength of U.S. intelligence capabilities, congressional oversight of the intelligence community, charters governing intelligence agencies, the Freedom of Information Act as it applies to the CIA and "other issues affecting the civil liberties of Americans."

Delaware's Republican senator, William V. Roth Jr., a new member of the Intelligence Committee, cast the 14th vote for Casey. He phoned it in yesterday morning on his return from a nine-day trip to Japan.

Biden said he expects Casey to be confirmed by the full Senate this week, "but I cannot determine how I should vote until I know his position on the issues."

He says he's concerned that a "misperception" is growing "that the Senate's purposes in establishing the Intelligence Committee have somehow grown obsolete." And he said it's essential that a CIA director fully understand the role of the congressional oversight committees.

The Intelligence Committee was created, Biden recalls, after a special Senate committee found "all too many instances in which the basic rights of Americans had been summarily violated" by intelli-

gence agencies.

"And they were violated for no better reason," he said, "than that powerful federal agencies had been given free rein with no oversight and even less sense of perspective."

"Such abuse of power is more than merely history," Biden said. "It is an ever-present danger in every democratic society."

Biden has served on the Intelligence Committee since it was established in 1976. He has been the prime author of the so-called "gray-mail" legislation, designed to protect classified information during judicial proceedings.

Casey, 67, a New York attorney and director of Reagan's 1980 campaign, has been involved periodically in intelligence activities since the World War II days of the Office of Strategic Services, predecessor to the CIA.

He has had a history of difficulties with Senate confirmation hearings in the past. In 1971, he was confirmed to head the Securities Exchange Commission only after surviving charges that he had plagiarized portions of a tax manual. Controversy also erupted during his confirmation hearings to be undersecretary of state and director of the Export-Import Bank.